

TOWNSHIP OF MOUNT LAUREL

ORDINANCE # 2024-12

AN ORDINANCE REPEALING AND REPLACING CHAPTERS 121 "RENTAL PROPERTY" AND AMENDING CHAPTER 139 "TAXATION" AND CHAPTER 154 "ZONING" TO MODIFY REQUIREMENTS OF HOTEL AND MOTEL USES

WHEREAS, the Township of Mount Laurel is developed with many different types of lodging facilities such as hotels and motels to serve transient guests; and

WHEREAS, the current rules, restrictions, and regulations regarding these hotels, motels, and other lodging facilities are disparate and inconsistent between various chapters within the code; and

WHEREAS, the Hotel and Multiple Dwelling Law, N.J.S.A. § 55:13A-1 et. seq. permits state and local enforcement measures to improve safety at hotels and motels; and

WHEREAS, municipal governments may reach beyond the basic state requirements to provide more stringent measures, especially when such measures are developed to protect the health and safety of transient guests as well as the general public under the municipal government's police powers; and

WHEREAS, motels in Mount Laurel Township have proven to be a consistent and serious security problem, generating more than 1,000 calls for police service during recent years to control disturbances and make arrests for many varying types of criminal activity including narcotics, prostitution, thefts and assaults; and

WHEREAS, the constant criminal activity taxes the police department and has caused the Township to implement additional safety measures to reduce the number of calls for service to these motel locations; and

WHEREAS, in Mount Laurel Township, the governing body finds and determines that it is important for the safety of visitors to our community, as well as and to control vice, disturbances and narcotics offenses, to require additional security measures to help reduce continual calls for service by the Police Department; and

WHEREAS, the Township previously determined that a strong correlation exists between guests' length of stay of guests in these conditions, outside the temporary, transient and proper use of a motel and the need for police services; and

WHEREAS, limiting the length of stay of guests helps prevent crime by limiting the ability of a criminal element to establish their framework and system for illegal activity; and

WHEREAS, the governing body recognizes the need to balance the Township's authority to protect the public against the personal privacy interests of the motel guests; and

WHEREAS, the Township Code speaks to motel standards and restrictions in multiple locations and the Council requires that the solicitor and planner review the code to identify discrepancies with the new Chapter being established; and

WHEREAS, the Township Council wishes to address these discrepancies by amending the Township Code to establish appropriate licensing standards; and

NOW THEREFORE, BE IT ORDAINED AND ENACTED, by the Township Council of the Township of Mount Laurel, Burlington County, New Jersey, that the Code of the Township of Mount Laurel be and is hereby amended and supplemented as addressed in this Ordinance;

Section 1. Repealing and Replacing Chapter 121 entitled "Rental Property".

Chapter 121 of the Code of the Township of Mount Laurel entitled "Rental Property" is hereby repealed and replaced to read as follows:

§ 121-1. Incorporation of recitals.

The recitals set forth above are incorporated herein by reference as if set forth at length.

§ 121-2. Purpose.

The Township Council finds and determines that it is important for the safety of visitors to our community to control vice, disturbances, and narcotics offenses; and to protect the

general public and for peace and good order. To meet these goals, the Township requires certain security measures at motels and temporary housing accommodations, including requiring the licensing of motels and mandating additional requirements necessary to ensure safety based in part on minimum standards required for a motel to receive or renew a motel operation license and requiring additional registration requirements and limiting the length of stay of guests.

§ 121-3. Definitions.

For the purpose of this chapter, the following words will have the following meanings:

CONTRACT GUEST - Any person who exercises occupancy or is entitled to occupancy by reason of a contract or voucher or by other payment method from a state, county, or local agency or not-for-profit corporation engaged in providing housing accommodations for the right to occupy the premises for a period of fourteen (14) calendar days or less. The Code deems any such person so occupying space in a motel a "transient" up to and including the last day of the fourteen days. In determining whether a person is a "transient," uninterrupted periods of time extending both prior or subsequent to the effective date of this chapter may be considered.

MOTEL - Any structure or any portion of any structure which is occupied or intended or designed for occupancy by transients for dwelling, lodging or sleeping purposes. For purposes of this chapter, the term "motel" shall include any hotel, inn, tourist home or residential rental housing having two or more rental units or apartments, or any other similar structure or portion thereof, that is designed or intended for occupancy by transients for dwelling, lodging, or sleeping purposes.

NON-CONTRACT GUEST - Any person who exercises occupancy or is entitled to occupancy by reason of concession, permit, right to access, license, or by other payment of any money, for the right to occupy the premises for a period of fourteen (14) consecutive calendar days or less, counting portions of the calendar days as full days and not more than 100 calendar days in any 365 day period. Any such person so occupying space in a motel shall be deemed a "transient" up to and including the 14th day of occupancy. In determining whether a person is a "transient," uninterrupted periods of time extending both prior or subsequent to the effective date of this chapter may be considered. "Non-contract guest" shall not include the owner and his immediate family or one specifically identified employee and his family occupying a living unit on-site equipped with a full kitchen and separate living and sleeping quarters, where same is available. Existing motel rooms shall not, however, be converted to create such living space.

OCCUPANCY

The use or possession or the right to the use or possession of any room(s) or portion thereof in any motel for sleeping purposes.

OPERATOR

Any person, as defined herein, and including agents, employees, and independent contractors thereof, responsible for the day-to-day management and performance of motel activities.

PERSON

Any individual, firm, partnership, joint venture, association, social club, fraternal organization, joint-stock company, corporation, estate, trust, business trust, receiver, trustee, syndicate, or any other group or combination, acting as a unit.

RENT

The consideration charged, whether or not received, for the occupancy of space in the motel valued in money, whether to be received in money, goods, labor or otherwise, including all receipts, cash, credits and property and service of any kind or nature, without reduction therefrom whatsoever.

TRANSIENT

One whose presence in Mount Laurel Township is temporary or fleeting and who occupies a premise for 14 days or less.

VISITOR

Any person, not employed by, or a registered guest of, a motel, not including minors and dependents of registered guests.

§ 121-4. License required; transferability; transfer fee.

- A. It shall be unlawful for any person, partnership, firm, corporation or entity to establish, operate, maintain, occupy, or offer for occupancy any property owned, or controlled by him as a motel as defined herein, without first having secured a license from the Township of Mount Laurel. Said license shall be for a period of no more than one year commencing January 1 and terminating December 31 of each calendar year and shall be renewable for additional periods of one year. In the initial year, the license shall be extended from the date of adoption until December 31st of the following calendar year and thereafter, be for one year from January 1 to December 31st.
- B. Licenses shall not be transferable from one person, firm, partnership, corporation or entity to another person, partnership, corporation or entity without application to the Township as defined in §121-6 and the payment of a transfer fee of \$250.

§ 121-5. Conditions requiring license.

- A. When any person shall, by the use of signs, social media, circulars, business cards, newspapers, other publications, radio or television stations, advertise or solicit patronage, actively or passively, it shall be considered prima facie evidence of the operation of a motel, and a license shall be required for the ownership and/or operation of a motel.
- B. Exceptions:
1. A motel license shall not be required when the owner:
 - a. Obtains a Short Term Rental License under §154-80.2 of this Code; or
 - b. Enters a lease for six months or more; or
 - c. Owns a two-unit facility that was granted land use approval in 2024 before the adoption of this chapter. If this facility ceases to operate it shall no longer be entitled to this exception

§ 121-6. Application for license.

- A. Applications for a Mount Laurel Township motel operation license shall be made on or before November 1 of each year on a form approved by the Township Council and shall be signed and sworn to by the person, firm, partnership, corporation, or entity, actually engaged in such business and actually the true owners thereof. This section shall apply to any individual, firm, partnership, corporation or entity who is now, or in the future, conducting any activity within the Township of Mount Laurel regulated by this Chapter.
- B. Each applicant for such license shall make written application on forms supplied by the Township Clerk setting forth:
1. The full name, phone number, address and post office address, if applicable, of the applicant (if a corporation, provide the names and addresses of the president and secretary and registered agent, if applicable; if a partnership, provide the names and addresses of all partners).
 2. The exact location of the proposed licensed premises, including the street address, and block and lot number as described on the Tax Map of the Township of Mount Laurel.
 3. A description of the business, structure and accommodations upon said land, including a statement of the number of sleeping units and the maximum number of persons who can be accommodated at any given time.
 4. The name, address and owner of said lands and buildings and the name and address of the individual, corporation, partnership or other entity renting said building if different than Subsection B(1) above. In the event that the entity which owns or leases the licensed premises is a corporation, the name and address of the officers of the corporation and the particular position they hold, the name and address of any stockholder holding 10% or more of stock, or indirectly, or in any way beneficially of

the corporation which is seeking a license and the name, address and phone number of the registered agent, if applicable.

5. The name(s) of the person or persons on the licensed premises upon whom process may be served.
 6. A statement acknowledging whether the applicant has ever held a motel or hotel license and whether said license(s) has ever been denied or revoked and setting forth details of same.
 7. Details of any arrests and/or convictions for crimes or disorderly conduct, including the nature of the offense for which arrested and/or convicted, the date of conviction and the court in which said conviction occurred of each and every person identified in Subsection B(1) and B(4) above.
 8. The name and address of the applicant's attorney, if applicable.
 9. The telephone number(s) where the owner(s) and/or his or her agent may be reached in the event of an emergency.
- C. The application must contain a certification that the statements made by the applicant in connection with the application and covering the information requested in Subsections A and B are true and that the applicant makes such statements to induce the Township of Mount Laurel to issue a license to operate a motel covering the applicant's business and that the applicant agrees to comply with all rules, regulations, and laws of the State of New Jersey and Township ordinances applicable to same.
- D. The application shall be accompanied by a payment in the amount of the license fee for the period involved. In the event that the license applied for shall be denied, said fee shall be returned to the applicant less 10% thereof to cover investigation costs relative to said application plus the cost of notice required under § 121-7G.
- E. If the applicant is not the owner of the site where the business is to be conducted, the owner's written consent to conduct the business described in the application shall be annexed to the application.
- F. Unless the applicant opts for third-party inspection, the application for an issuance of a license hereunder shall constitute the consent of the applicant to an inspection of the licensed premises by the Police Department, using the standard established at § 121-7B, for the purpose of determining whether there exists, on the premises sought to be licensed, compliance with the appropriate registration requirements as defined herein. The applicant shall be given twenty-four-hour notice of this inspection to ensure the owner's/operator's presence during such inspection. This requirement in no way limits the Police Department's or other law enforcement agency's ability to perform unannounced inspections as part of ongoing investigations to prevent or discover criminal activity.
- G. Licensed motels shall not be permitted to enter into third party lease agreements whereby a portion of their facilities are being operated by the third party. Licensed motels shall not be permitted to operate their facilities or a portion of the facilities through any third party lease arrangement that would allow potential guests to book or reserve a room or unit online or through other social media service and gain direct access to the room or unit without checking in and out at the front desk. Such check-ins must include conformance to all of the security requirements established by this Chapter including, but not limited to, providing proper identification at check-in.
- H. Unless the motel license is currently under a suspended or revoked status, the motel will be permitted to operate while the Township considers a pending original or renewal application.

§ 121-7. Licensing procedures.

- A. Each applicant shall make an application upon forms issued by the Township Clerk which may be amended from time to time without further action by the Council. This section shall apply to any individual, firm, partnership, corporation or entity who is now or in the future conducting any activity within the Township limits regulated by this chapter.
- B. Upon application for a license, the Township Clerk shall send a copy of same to the Police Department, the Township Manager, Township Zoning Officer, Fire Inspector and Construction Code Official. Each of the foregoing departments or agencies shall have 14 days from the date of the application to inspect the premises and issue a written report determining whether or not the premises complies with this chapter and the rules and regulations and laws of the State of New Jersey. The Township shall coordinate the date and time of its inspection and provide twenty-four-hour notice to the motel owner. In lieu of inspection by the Police Department, an applicant may request that the Police Department's review be performed by a neutral third-party inspector, subject to the Township's approval of the proposed inspector and with the costs of the inspection to be paid for by the applicant. The third-party inspector shall coordinate with and provide its findings to the Township Police Department. If the premises complies, the Police Department and other authorized agencies shall provide the Township Clerk with a written notice of such approval. Thereupon, if the applicant has complied with the other licensing provisions set forth in this Chapter, the Township Clerk shall issue a license in accordance with the terms and conditions of this Chapter.
- C. The Township of Mount Laurel shall issue a motel operation license only when said motel is in compliance with the registration standards established in this Chapter, including evidence of maintenance of the occupancy requirements of § 121-10.
- D. If, upon inspection, the premises do not comply with the registration requirements set forth in this Chapter, the Police Department and other authorized agencies shall provide the Township Clerk with a written report setting forth the specific violations. The Township Clerk shall thereupon transmit a copy of such reports citing violations to the applicant, together with written notice that a license for the premises will not be considered and the operator shall have 30 days to cure deficiencies prior to re-inspection. If the inspection revealed deficiencies based on fire, zoning, or construction defects, the applicant shall make the necessary application to the appropriate agency to cure the deficiency within 14 days of notice and cure said deficiency within 60 days of such notice. The Township reserves the right to take immediate action outside the scope of this licensing ordinance to abate any issue which, in the Township's sole discretion, is a life-safety issue. The applicant shall have the right to request a hearing before the Township Council to reconsider the inspection report. Said request for hearing must be in writing and received within five business days from receipt of notice sent by the Township Clerk.
- E. The Township Council shall set a date for a hearing to be held on the denial of the application at a reasonable time thereafter or, in the case of a new license, not later than 30 days from the date of a written request for a hearing unless the applicant requests or consents to a postponement.
- F. A copy of all reports and investigations shall be made available to the applicant, upon request, at least seven days prior to any hearing date set by the Township Council on a particular license.
- G. The Township Clerk shall make notice, not less than seven days prior to the hearing, in the official newspaper of the Township and by certified mail, return receipt requested, to all property owners with 200 feet of the applicant's property line, using a straight line from the property line, of the time, place and location of the hearing concerning the denial of license application and the manner in which interested parties may make proper objection either in writing or through oral testimony. Such objection must be based upon an alleged violation of laws promulgated or enacted by the federal, state, county, or local government. The applicant has the right to contest any objection presented.
- H. In the event that objections in writing are filed with the Township Clerk as to the issuance or renewal of a particular license or objections are made orally on the night set for

issuance or renewal of a license or the date of the hearing described in Subsection F above, the Township Council shall then proceed to hear the objections and all evidence for and against the issuance of such license and within 10 days determine whether to issue or renew a license or deny same if the evidence presented indicates good cause for the denial of a license. A refusal to issue a license shall be in writing, and the reasons for a denial shall be stated. If the circumstances warrant, the Township Council may hold an additional hearing on a date set by the Township Council meeting for the renewal or issuance of a license(s).

I. Nothing contained herein shall prevent the Township of Mount Laurel or the officers of the Township from proceeding against an applicant who is in violation of any of the provisions of this Chapter by filing a complaint in a court of competent jurisdiction.

J. Any license issued hereunder shall terminate at any time after its issuance in the event that the use of the building or part thereof for motel purposes shall cease.

§ 121-8. Compliance with all laws and regulations required.

A. All structures, buildings, dwellings, houses, or parts thereof used for the purposes herein regulated shall comply with the Uniform Construction Code or building codes in existence at the time of the issuance of the certificate of occupancy, the Land Use Development Ordinances, the Uniform Fire Safety Code, health ordinances, and other applicable ordinances of the Township of Mount Laurel, and with the rules, regulations, and laws of the State of New Jersey. Any area of renovation shall be done at the uniform construction standards existing at the time of renovation and with proper permits issued by the Township of Mount Laurel when necessary.

B. All fire escapes shall comply with the rules, regulations and ordinances of the Township of Mount Laurel and the State of New Jersey. Exit lighting shall be installed in the passageway or doorway leading to any such fire escapes. Doors leading to fire escapes shall be unlocked from the inside at all times and shall open outward.

C. Each motel shall be equipped with sufficient hand fire extinguishers, as determined by the Fire Marshal, whose discretion shall be informed and guided by the New Jersey Uniform Fire Safety Code, which shall be at all times in working order and readily accessible to the occupants.

D. All such licensed accommodations shall be provided with an adequate supply of potable drinking water, together with toilets and lavatory facilities for guests, and shall contain not less than one separate toilet for each five guests. Said toilet and lavatory facilities shall be maintained in a clean and sanitary manner and disinfected daily.

E. All trash or other waste matter shall be kept in closed containers, and provisions shall be made for removal of all trash, waste matter, or garbage from the licensed premises.

F. All entrances to motels shall be adequately lighted after dark, and all ground areas about motels shall be adequately illuminated.

§ 121-9. Fees.

A. The annual fee for each license hereunder shall be the sum of \$75 plus \$25 per each unit containing sleeping quarters for units one through 10; \$15 for units 11 through 20; \$10 per unit thereafter.

B. Payment of said fee shall accompany the filing of the application for licenses and any intention to renew thereafter.

C. Except as otherwise provided, all license fees shall become part of the Township's treasury.

D. Where the licensee is engaged in more than one activity as enumerated in this Chapter, at the same location, which may be subject to more than one fee, said licensee shall be required to pay that fee which would be charged for the activity assessed the highest fee.

§ 121-10. Security requirements.

All motels are required to meet the following minimum security requirements:

A. Guest registration regulations.

1. Every registering guest shall furnish a valid identification to the operator as part of the registration process for use of that motel by the transient.
2. No room shall be rented to any person who is under 21 years of age at the time of the rental when not accompanied by a parent or legal guardian. Said age is set to deter security issues commonly associated with underage drinking.
3. Valid identification for legal residents of the United States shall consist of one of the following: valid driver's license issued in the transient's state; a federal, state or county government photograph identification card; military identification card; a passport; or any other form of valid government identification on which the guest's photograph appears. For persons legally residing outside the United States, valid government identification shall include an official passport, U.S. visa, INS alien registration card or INS border crossing card.
4. The operator of the motel shall maintain a record log and photocopy of the identification produced by the guest(s) in either paper or electronic form. The record log shall include the name of the transient, current address, ID number (i.e., motor vehicle license number) and state or country of issuance of identification, date of birth, date and time of check in and check out, method of payment and make, model, and license plate number of guest vehicle, if guest intends to park vehicle at establishment. Irrespective of method of payment, the motel operator shall comply with Subsection A(1) of this section. The operator shall maintain an accurate and up to date record log of each guest at the time that they check in to the motel.
5. An operator shall not rent a room to any guest who fails or refuses to provide proper identification or refuses to identify all occupants to any operator.
6. Upon request, the record log shall be made immediately available for inspection by the Chief of Police, or his designee, who shall be a uniformed police officer, and shall also be immediately available to any member of the Mount Laurel Police Department or other law enforcement agency, in the event of a police service incident at the motel. Said log shall be kept by the motel owner for a period of no less than three years.
 - a. The officer shall request to inspect the record log by asking the operator, or the operator's designee who is "on duty" and/or working at the time, to inspect the record. If inspection is refused, the operator or the operator's employee/designee must secure the record in the presence of the officer or an authorized representative of the Police Department or other law enforcement agency, in a manner directed by the officer or authorized representative, to ensure that no one can tamper with the record and so that the record can be maintained securely in the presence of the officer or authorized representative until such time as an administrative subpoena, an administrative search warrant, or other court order has been issued or denied. If the operator or the operator's designee cannot be located, or if inspection is refused, the police officer or an authorized representative may seek entry by serving the issuance of the administrative subpoena, an administrative search warrant, or other court order authorizing the inspection of the record log.
 - b. Whenever possible, the inspection shall be conducted at a time and in a manner that minimizes any interference with the operation of the business.
 - c. No person shall alter, deface or erase the record so as to make the information recorded in it illegible or unintelligible or hinder, obstruct, or interfere with any inspection of the record under this section. If a person is found to have altered any record, they may be subject to criminal charges.

- d. If, upon refusal to allow the officer to inspect the record, and the officer requires the record to be secured, the officer or authorized representative must apply for the administrative subpoena, administrative search warrant, or such other court order in an expeditious fashion, but within no less than 48 hours following said refusal.
- e. Administrative subpoena/administrative search warrant.
 - i. In the event that the law enforcement officer or authorized representative seeks an administrative search warrant, same shall be sought and processed and the conduct of same shall be in accordance with applicable New Jersey Court Rules and/or other statutes.
 - ii. In the event that the law enforcement officer or authorized representative seeks an administrative subpoena, then same may only be sought if the Township's governing body has established an Investigative Committee under the New Jersey Municipal Investigations Act, N.J.S.A. 40:48-25 et seq. Should the governing body form such an Investigative Committee, it shall be entitled to exercise all powers delegated to it under said statutory provisions, including the authority to issue subpoenas such as those contemplated herein.
 - iii. In the event that the law enforcement officer or authorized representative seeks an administrative search warrant or administrative subpoena, the operator of the motel may obtain a precompliance review by a Township-approved neutral third-party decision maker who shall review the Police Department's demand to review the motel records to determine if the administrative search warrant or administrative subpoena would be enforceable.

7 The duties imposed on an operator by this chapter shall not be interpreted or applied so as to violate or cause the violation of the Americans with Disabilities Act of 1990 (P.L. 101-336).

8 In lieu of inspection by the Police Department, an applicant may request that review under this section be performed by a neutral third-party inspector, subject to the Township's approval of the proposed inspector and with the costs of the inspection to be paid for by the applicant. The third-party inspector shall coordinate with and provide its findings to the Township Police Department.

B. Parking requirement regulations.

- 1. The operator shall inform each guest that vehicles must be parked nose in to the parking space. For security reasons, back-in parking will not be permitted. In addition to informing the guest at check in that nose-in parking is required, the operator shall conspicuously post the property with permanent signs no less than 10 inches in height by eight inches in length which state "Nose-in Parking Required - \$100 fine - Ord. 121-10."
- 2. The operator shall inform the guest that failure to abide by this request may result in Police Department action.
- 3. All persons using parking spaces on a motel property shall park their vehicles nose in to the parking space. For security reasons, back-in parking will not be permitted.

C Frequency of rental. The operator shall not rent any room more than two times during any twenty-four-hour period, beginning at 12:00 noon and ending at 12:00 noon the following day. The operator shall not rent any room for a period of less than one night and shall not rent on an hourly basis.

D Video Surveillance. All publicly accessible spaces on the premises, including all lobby space, hallways, parking areas, common rooms, and other facilities open to the general

public, shall be actively monitored by video surveillance equipment 24 hours a day. Records of all video surveillance shall be maintained and stored for a minimum of 30 days. Recordings of video surveillance shall be made available to the Mt. Laurel Township Police Department or other law enforcement agency upon request. All video surveillance equipment shall be located in a position that prevents obstruction of views of public spaces by the equipment, and shall be securely fastened or fixed in a manner that prevents tampering with the equipment.

E. Occupancy. The sleeping accommodations of a motel shall be rented only for the use of contract and non-contract guests as transient occupants and shall not be used or occupied on any permanent basis, and no such occupant shall be deemed to be a resident therein. Every licensed premises shall maintain at all times a complete register of all rentals therein and the true identification and correct dates of occupancy of each person using any room on the licensed premises.

1. Contract guests. No contract guest shall use or occupy any room or a portion of any room in any motel for more than a calendar month or more than one month during any three calendar months.

2. Non-contract guests.

a. No non-contract guest shall use or occupy any room or a portion of any room in any motel for a period of more than 14 consecutive days or more than 14 days during any ninety-day period. A portion of a calendar day shall constitute a full day.

b. A minimum of seven days prior to the expiration of the fourteen day limit, it shall be an affirmative duty of the operator to petition the Chief of Police in writing to permit a non-contract guest to avail himself of the use of the motel for a period longer than 14 days when such non-contract guest provides (i) proof of current, valid residency more than 30 miles from Mount Laurel Township and is utilizing the motel while performing a temporary function or service in Mount Laurel Township such as employment on a construction project or (ii) where the non-contract guest is in need of temporary quarters while improvements are being performed on the non-contract guest's primary residence making it temporarily uninhabitable, where such time frame remains limited to a definite timeline and where vacancy of the motel premises will occur at the conclusion of the construction project or the primary residents becomes habitable. The decision to permit any stay longer than 14 days remains at the sole discretion of the Chief of Police and may be appealed to the Township Council in the same manner as provided for denial of license as provided in § 121-7 of this chapter.

F. Identification of renters; renting for improper purposes is prohibited. In addition to the other rules and regulations proposed hereunder, no licensee shall knowingly rent, allow or permit any room on the licensed premises to be used for any illegal or immoral purpose. The licensee's failure to set forth the true identity shall serve as prima facie evidence of violation of this provision.

G. Restriction on ownership and management. The operation, conduct, and management of a motel shall not be under the management, control or supervision of any person convicted of a felony or any conviction involving the sale of drugs and/or narcotics, prostitution, or underage drinking. No person shall own, directly or indirectly, more than 10% of stock or be an officer or director of any corporation or participate in any way in the management of any licensed premises if he or she has been convicted of a crime as described in this subsection.

H. Maintenance and enforcement of no rent/no trespass list.

1. The Township shall maintain and provide a no rent/no trespass list of persons convicted of any crime while on a Mount Laurel motel property or while registered as a guest at a motel in the Township.

2. The operator shall refuse to further rent any room on the premises to said guest on the list or allow the individuals on said list to remain on the property. At no time shall the operator allow the person on the list or members of the person's party to visit other properly registered guests or visitors.

3. Names shall remain on the no rent/no trespass list for the remainder of the current calendar year and the next immediate calendar year (i.e., up to one year and 364 days).

I. Notification to police of suspicious guests. The motel operator shall make a reasonable effort to notify the Mount Laurel Township Police Department of the names and permanent addresses of guests that behave suspiciously after check-in. Suspicious activity shall include an act or event which causes an ordinarily prudent person to believe that unlawful behavior is in process or imminent.

J. Requirement of on-site manager 24 hours a day. The operator shall cause the motel to maintain twenty-four-hour supervision by an on-site manager. Said manager(s) will have supervisory responsibilities over all other employees on site and shall serve as the first point of contact for the Mount Laurel Police Department.

§ 121-11. Administrative suspension and revocation of license.

A. In the event that the Township Council finds, upon a written complaint filed, that there is such a serious infraction of the rules, regulations and ordinances of the Township of Mount Laurel or the rules, regulations, and laws of the State of New Jersey or that the operation of a premises licensed hereunder will constitute a serious menace to the health, safety, welfare and morals of the people of the Township or the occupants of such licensed premises, the Township Council shall have the right to hold a hearing where said operator and complainant will be given the right to provide testimony and be subject to cross-examination regarding said complaint. Upon finding of good cause, the Council may immediately suspend the license of such person, firm, partnership, corporation or entity licensed under this chapter. In the event that a license is suspended as set forth herein, the operator must correct such issues and be re-inspected before the Township Council will hold another hearing to reconsider the license. The hearing to continue the suspension or revocation of the license or take such other action as the Township Council deems necessary in its lawful discretion shall proceed where applicable in the same manner as if the proceeding were for the issuance of a new license. Nothing contained herein shall prevent the Township of Mount Laurel or the officers of the Township from proceeding against the applicant in a court of competent jurisdiction. The Township reserves the right to notify all financial interest(s) of said motel of denial, suspension or revocation of a license.

B. In the event the license is suspended or revoked, the motel operator shall cause the contract guests and non-contract guests to be removed from the motel within 48 hours from the decision of the Township Council. The motel operator shall be responsible for any and all costs associated with the relocation of contract and non-contract guests. In the event the motel operator fails to meet this responsibility and the Township is required to arrange and provide for the relocation of said guests, all costs and expenses incurred by the Township in the course of action associated with the relocation shall become a lien against the property.

§ 121-13. Enforcement.

The proper enforcement of the provisions of this Chapter dealing with licenses shall be within the jurisdiction of the Township of Mount Laurel Police Department and within the jurisdiction of those officers at the state, county and local levels of government charged with providing the necessary inspections, regulations, and enforcement of the law.

§ 121-14. Violations and penalties.

A. Noncompliance with the terms and conditions of this Chapter shall constitute a violation.

B. Each and every day any violation of this chapter exists or continues to exist shall be deemed as a violation or offense under this Chapter.

- C. Any person, firm, partnership, corporation or entity violating any provision of this Chapter by the performance of a prohibited act or by failing, neglecting, or refusing to do any act or anything required by this Chapter shall, upon a trial and conviction by a court of competent jurisdiction, forfeit or pay such fines not in excess of the sum of \$2,000 for each offense, or be sentenced to a jail term not exceeding 90 days (if the convicted is a natural person) and/or a period of community service not exceeding 90 days.
- D. Any owner or operator of a motor vehicle who shall park or allow his vehicle to be parked in violation of § 121-10B(3), upon a trial and conviction by a court of competent jurisdiction, shall pay a fine of \$500.

Section 2. Amending Chapter 139 entitled "Taxation"

Chapter 139 of the Code of the Township of Mount Laurel entitled "Taxation" is amended and supplemented at §139-2 to read as follows:

§139-2 Tax established.

There is hereby established a hotel and motel room occupancy tax in the Township of Mount Laurel which shall be fixed at a uniform percentage rate of 1% on charges of rent for every occupancy of a hotel or motel room in the Township of Mount Laurel on or after July 1, 2003, but before July 1, 2004, and 3% on charges of rent for every occupancy of a hotel or motel room, or residential short-term rental in the Township of Mount Laurel on or after July 1, 2004, of a room or rooms in a hotel subject to taxation pursuant to Subsection (d) of Section 3 of P.L. 1966, c. 40, N.J.S.A. 54:32B-3 (sales tax).

Section 3. Amending Chapter 139 entitled "Zoning"

Chapter 154 of the Code of the Township of Mount Laurel entitled "Zoning" is amended and supplemented in the following location to read as follows:

§154-5 Definitions and word usage.

BOARDING- AND ROOMINGHOUSE

A dwelling, other than a hotel, motel, or residential short-term rental, wherein people are sheltered or fed for profit.

HOTEL

A facility offering transient lodging accommodations to the general public that may provide additional services, such as restaurants, meeting rooms, entertainment, and recreational facilities, where guest rooms are typically accessed from an interior hallway or space.

MOTEL

A building or a series of buildings, connected or separated, for the purpose of housing transient guests ~~This shall include motor cabins, motor courts and tourist cabins,~~ where guest rooms are typically accessed directly from the exterior of the building.

RESIDENTIAL SHORT-TERM RENTAL

A room, group of rooms, or other living or sleeping space for the lodging of transient occupants, other than a hotel, motel, or boarding house, including but not limited to residences or buildings used as residences, that are intended to be leased for a duration of less than ~~30~~ 14 days at a time, and where the space will not be the transient occupant's intended primary place of residence.

TOURIST HOME

~~A private residence in which overnight accommodations are provided for not more than 10 transient paying guests.~~

Article IV Major Commercial Planned Development Districts

§154-25 Use regulations.

A. In Major Commercial Planned Development Districts, no building or other structure and no land shall be used, and no building or other structure shall be built, altered or erected to be used for any purpose other than that of:

(5) ~~Lodging place, including~~ hotel, or motel. ~~or motor inn.~~

Article VIII Industrial Districts

§154-56.C Uses permitted other than industrial. In addition to industrial-type structures and uses, the following types of structures or uses are permitted in Industrial Districts:

(5) ~~Lodging place, including~~ hotel or motel.

Section 4. Repealer, Severability and Effective Date.

A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.

B. Severability. In the event that any clause, section, paragraph, or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Council hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.

C. This Ordinance shall take effect upon passage and publication according to law.

Introduction Date: May 6, 2024

	MOTION	AYE	NAY	ABSTAINED	ABSENT	TRANSMITTED
Cohen		✓				
Janjua		✓				Hill
Moustakas	1	✓				
Pritchett		✓				
Steglik	2	✓				

Publication Date: May 15, 2024

Public Hearing Date: June 11, 2024

	MOTION	AYE	NAY	ABSTAINED	ABSENT	TRANSMITTED
Cohen	1	✓				Zoning
Janjua					✓	General code
Moustakas		✓				Adv.
Pritchett	2	✓				Construction
Steglik					✓	Housing

TOWNSHIP OF MOUNT LAUREL

BY: _____

Fozia Janjua
Fozia Janjua, Mayor

ATTEST:

Meredith Kjculy
Meredith Kjculy, Township Clerk